

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

- against -

KARL MCQUEEN,

Defendant.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ **JAN 28 2016** ★

BROOKLYN OFFICE

06-CR-155

**Memorandum and Order
Explaining Sentence for
Violation of Terms of
Supervised Release**



JACK B. WEINSTEIN, Senior United States District Judge:

A hearing was held on January 25, 2016. An update to the Violation of Supervised Release ("S.R.") Report, dated January 19, 2016 was accepted by the court. No objections were raised by the parties.

The court had ordered an up-to-date presentence report. No objection was taken to its contents which demonstrated serious supervised release violations.

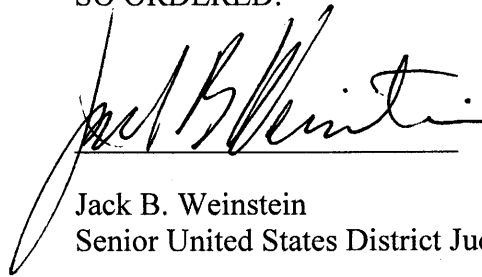
Defendant Karl McQueen pled guilty to one charge of violation of supervised release: he failed to complete an outpatient drug program and repeatedly tested positive for marijuana. *See* Update to Violation of S.R. Report, Jan. 19, 2016, at 10 (charge five); Hr'g Tr., Jan. 25, 2016 ("Hr'g Tr.").

The applicable sentencing range pursuant to the sentencing guidelines is five to eleven months of incarceration. The maximum term of imprisonment is five years. *See* Hr'g Tr. Ordered is a sentence of eight months of incarceration, with the termination of supervised release upon defendant's release from prison. The sentence is based upon the stipulation and consent of the

parties and is reasonable in light of defendant's history of failure to comply with the requirements of his release. *See* Hr'g Tr.; Update to Violation of S.R. Report, Jan. 19, 2016, at 21.

Mr. McQueen shall surrender to the U.S. Marshals of the Eastern District of New York on Monday, February 8, 2016 at 1:00 p.m.

SO ORDERED.

A handwritten signature in dark ink, appearing to read "Jack B. Weinstein", is written over a horizontal line. The signature is stylized with a large, sweeping initial "J".

Jack B. Weinstein
Senior United States District Judge

Dated: January 25, 2016
Brooklyn, New York